

Assembly Bill No. 2159

Passed the Assembly April 7, 2016

Chief Clerk of the Assembly

Passed the Senate August 1, 2016

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2016, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 351.2 to the Evidence Code, relating to evidence.

LEGISLATIVE COUNSEL'S DIGEST

AB 2159, Gonzalez. Evidence: immigration status.

Existing law provides that all relevant evidence is admissible in an action before the court, including evidence relevant to the credibility of a witness or hearsay declarant, subject to specified exceptions.

This bill would provide that, in civil actions for personal injury or wrongful death, evidence of a person's immigration status is not admissible and discovery of a person's immigration status is not permitted. The bill would also provide that these restrictions do not affect the standards of relevance, admissibility, or discovery under other specified provisions of law.

The people of the State of California do enact as follows:

SECTION 1. Section 351.2 is added to the Evidence Code, to read:

351.2. (a) In a civil action for personal injury or wrongful death, evidence of a person's immigration status shall not be admitted into evidence, nor shall discovery into a person's immigration status be permitted.

(b) This section does not affect the standards of relevance, admissibility, or discovery prescribed by Section 3339 of the Civil Code, Section 7285 of the Government Code, Section 24000 of the Health and Safety Code, and Section 1171.5 of the Labor Code.

Approved _____, 2016

Governor